

## **COUNCIL MEETING November 5, 2021 — MINUTES**

### **Council Members Present**

Mary Durham, Chair  
Hunter Adkins  
Kimberly Blackmon  
Erica Brown,  
HHSC/Medicaid  
Ronnie Browning  
Gladys Cortez  
Andrew Crim  
Jennifer Hines, TWC  
Scott McAvoy  
Meagan Orsag,  
A&M-CDD  
Randell Resneder  
Holly Riley, HHSC/Older  
Americans Act  
Eric Shahid  
Robert Schier III  
Molly Spratt  
Toby Summers  
Lora Taylor  
Kim Torres  
Audrey Young,

DSHS/Maternal Child  
Health  
Nina Zuna, TCDS

### **Council Members Absent**

Kristen Cox  
Maverick Crawford  
Mary Faithfull, DRTX  
Michael Peace  
Justin Porter, TEA

### **Guests Present**

Jennifer Bacak  
Christina Bryant  
David Fray  
Dan Graves  
Debra Haney  
Jeff Jones  
Linda Litzinger  
Laura Marquez

### **Regional Coordinators Present**

Morgan Bradley  
Erin Fogarty  
Rosa Guel  
Skyler Mueller  
Shelby Vaughn

### **Staff Present**

Beth Stalvey,  
Executive Director  
Scott Daigle  
Lauren Gerken  
Stacey Kaleh  
Linda Logan  
Sylvia Medina  
Evan Marczynski  
Fernando Rodriguez  
Richard Rendon  
Reynaldo Valldejuli  
Koren Vogel  
Rosalin Willis

### **Call to Order**

The Texas Council for Developmental convened on Friday, November 5, 2021, at the TCDD offices, 6201 East Oltorf, Suite 600, Austin, TX 78741 as well as virtually using the Zoom platform. Council Chair Mary Durham called the meeting to order at 9:05 AM. A quorum was present.

#### **1. Introductions**

Council members, staff and guests were introduced.

#### **2. Public Comments**

No public comments were offered.

#### **3. Consent Items**

Chair Durham reviewed consent items including the minutes from the August 4, 2021, Committee of the Whole meeting and the August 6, 2021, Council meeting as

well as the excused absences of Kristen Cox, Maverick Crawford, Michael Peace, Justin Porter, and Mary Faithfull.

**MOTION:** To approve the minutes of the August 4, 2021, Committee of the Whole meeting and August 6, 2021, Council meeting and the excused absences of Kristen Cox, Maverick Crawford, Michael Peace, Justin Porter, and Mary Faithfull.

**MADE BY:** Andrew Crim

**SECOND:** Lora Taylor

The motion **passed** unanimously. (November 2021 Meeting Materials, Tab 15)

4. **Audit Committee Report**

Dan Graves, Weaver and Associates, reported on audit activities associated with the FY 2021 Advisory Audit over Grant Management and Administration which included an evaluation of the grants portfolio and the risk assessment matrix. He also reported on follow-up activities on FY 2018 (External Communications, Advocacy, and Public Policy), FY 2019 (Governance), and FY 2020 (Program Development, Compliance, and Compliance Reporting) noting that seven findings were remediated, and one remains open due to the ongoing development of the reporting platform for the Annual Program and Performance Report.

5. **FY 2021 Internal Audit Report**

Graves reviewed the FY 2021 Internal Audit Report which is due to the State Auditor's Office.

**MOTION:** To approve the FY 2021 Internal Audit Report for submission to the State Auditor's Office.

**MADE BY:** Robert Schier III for the Audit Committee (motions from Committee do not need a second)

The motion **passed** unanimously. (November 2021 Meeting Materials, Tab 19)

6. **FY 2022 Internal Audit Plan**

Graves reviewed the FY 2022 Internal Audit Plan to focus on budget and planning.

**MOTION:** To approve the FY 2022 Internal Audit Plan with a focus on budget and planning.

**MADE BY:** Robert Schier III for the Audit Committee

The motion **passed** unanimously. (November 2021 Meeting Materials, Tab 19)

7. **Chair and Executive Director's Report**

Chair Durham reported on the announced retirement of Mary Faithfull as Executive Director of Disability Rights Texas. She also discussed expected appointments to the Council to fill vacant positions and replace members with expired terms.

Executive Director Beth Stalvey discussed TCDD staff updates to note the resignation of Grants Coordinator Robert Garcia and Communications Director Stacey Kaleh. She

also introduced Erin Fogerty who was selected as the Regional Coordinator for the Dallas region. Stalvey also noted that TCDD will be working with two fellows from Lone Star LEND and one doctoral student from University of St. Thomas whose advanced degree studies focus on disability issues.

Stalvey discussed TCDD activities related to reducing barriers to COVID-19 vaccines for people with disabilities. She also reported the FY 2022 – FY 2026 TCDD State Plan was submitted to federal authorities in September and that annual reporting for FY 2020 and FY 2021 will be submitted when the reporting platform becomes available.

Stalvey reported the completion of new TCDD branding as well as the TCDD website and encouraged member feedback on these items.

#### 8. **Selection of Nominating Committee Member**

It was reported that the Project Development Committee selected Holly Riley to serve as the representative to the Nominating Committee and that the Public Policy Committee selected Hunter Adkins and Randell Resneder to serve as representatives from that Committee. Andrew Crim volunteered to serve as the Council representative to the Nominating Committee

**MOTION:** To select Andrew Crim as the Council representative to the Nominating Committee.

**MADE BY:** Randell Resneder

**SECOND:** Lora Taylor

The motion **passed** unanimously.

#### 9. **Quarterly Progress of State Plan Projects**

Executive Director Stalvey reviewed the Quarterly Progress of State Plan Projects document and began by noting it had been updated with the FY 2022 – FY 2026 State Plan Goals and Objectives. She reported on grantee highlights related to National Disability Employment Awareness Month which was observed in October. These included promoting self-advocacy and employment skills for youth in the Educational Programs Inspiring Communities project and My Day, My Way mini-grants that enhance job training. Stalvey also discussed community conversations hosted by the Regional Coordinators in the areas of employment.

#### 10. **Future Activities for State Plan Implementation**

Project Development Committee Chair Gladys Cortez reported on discussion of new state plan project executive summaries and Future Funding Priorities List.

She first discussed the new project executive summary titled Landscape Analysis on 18+ Programs and Access to Postsecondary Programs for Students with IDD. This project would collect information and data on 18+ programs in Texas specifically related to postsecondary access, preparation, and partnerships.

**MOTION:** To approve funding of up to \$100,000 for one one-year Landscape Analysis on 18+ Programs and Access to Postsecondary Programs for Students with IDD

projects.

**MADE BY:** Gladys Cortez for the Project Development Committee

The motion **passed** unanimously. (November 2021 Meeting Materials, Tab 11)

Cortez next reported discussion on Increasing Access to Postsecondary Programs for Students with IDD in 18+ Programs. This project would provide technical assistance to 18+ programs and strengthen their efforts to increase postsecondary attainment for students with IDD.

**MOTION:** To approve funding of up to \$100,000 per year, for up to five years for one project on Increasing Access to Postsecondary Programs for Students with IDD in 18+ Programs.

**MADE BY:** Gladys Cortez for the Project Development Committee

The motion **passed** unanimously. (November 2021 Meeting Materials, Tab 11)

Public Policy Committee Chair Lora Taylor reported on that Committee's discussion of Poll Watcher Training on Assistance of Voters with Disabilities. This project would produce a training video to increase Poll Watcher's awareness and understanding of voters with disabilities and their needs, supports, and abilities.

**MOTION:** To approve funding of up to \$75,000 for one one-year project on Poll Watcher Training on Assistance of Voters with Disabilities

**MADE BY:** Lora Taylor for the Public Policy Committee

The motion **passed** unanimously. (November 2021 Meeting Materials, Tab 11)

Cortez then reported on Committee discussion of the Future Funding Priorities List. She noted the Committee placed the newly recommended projects in the middle of the list.

**MOTION:** To approve the Future Funding Priorities List as follows:

- 1) Understanding Online Access Among individuals with DD During COVID-19
- 2) Understanding of Employment and Unemployment Among individuals with DD During COVID-19
- 3) Landscape Analysis on 18+ Programs and Access to Postsecondary Programs for Students with IDD Culturally Appropriate Family Supports
- 4) Increasing Access to Postsecondary Programs for Students with IDD in 18+ Programs Promoting Civic Engagement Among Individuals with Developmental Disabilities
- 5) Culturally Competent Family Support Projects
- 6) Civic Engagement
- 7) Participatory Action Research
- 8) New Initiatives

- 9) Prevention and Response to Sexual Offenses: Medical and Therapeutic Professionals
- 10) Prevention and Response to Sexual Offenses: Criminal Justice Response to Cases involving people with IDD

**MADE BY:** Gladys Cortez for the Project Development Committee

**AMENDMENT:** To add the Poll Watcher Training on Assistance of Voters with Disabilities as priority #3, shifting remaining projects down.

**MADE BY:** Lora Taylor for the Public Policy Committee

There was consent by members to accept this amendment.

The motion **passed** unanimously. (August 2021 Meeting Materials, Tab 14)

#### 11. **Texas Administrative Code Rule Review**

Chair Durham reported on Executive Committee discussion of amendments to the TCDD Rules in the Texas Administrative Code Title 40, Part 21, Chapter 876 which relates to General Provisions of the Council and Chapter 877 which relates to Grant Awards. Proposed amendments which update references to the Public Information Act, current language of Request for Applications instead of Proposals, references to the TCDD Grants Manual, and clarification of the Confidentiality of Records were reviewed at the August 2021 meeting and posted in the Texas Register for a 30-day public comment period. No comments were received.

**MOTION:** To adopt revisions to the Texas Administrative Code Title 40, Part 21, Chapter 876 which relates to General Provisions of the Council and Chapter 877 which relates to Grant Awards for public comment.

**MADE BY:** Mary Durham for the Executive Committee

The motion **passed** unanimously. (November 2021 Meeting Materials, Tab 5)

#### 12. **Executive Committee Report**

Chair Durham reported Executive Committee approval of continuation grant funding for three projects and noted one speaker stipend was approved during the preceding quarter along with four stipends to reduce barriers to Covid-19 vaccines for people with disabilities.

Grants Management Director Rosalin Willis discussed the Grants Monitoring Report that featured 35 active projects. There were no new projects starting during the quarter, five projects ended during the quarter, and six projects moved into the final year of funding. Willis noted that two projects extended budget periods due to COVID-19 complications and eleven projects will be considered for continuation funding at the February meeting. Willis reviewed the Independent Audit Status Report noting two new reviews submitted during the quarter from Alamo Area Council on Governments and The Arc of Texas. Willis also reviewed the Risk Assessment report with a new format based on recommendations from internal audit

activities. The report groups the grantees by risk level and lists the risk factors to determine each grantee's level.

Budget and Finance Director Rey Valldejuli reviewed the Summary of Funds for FY 2019 – FY 2022 and explained the new format of the reports. Valldejuli clarified the operating expenses and total grant expenses showing amounts obligated for each year. He also reviewed the stipend expenditures and individual expenses from current grantees.

Council Business Manager Koren Vogel reported on the review of member and staff conflict of interest disclosure reports and noted the Committee had no concerns.

**13. Project Development Committee Report**

Project Development Committee Chair Cortez reported on the Committee follow-up discussion on Research of Substance Use Disorder in People with IDD presentation as well as discussion on negative biases of people with disabilities by physicians and other healthcare providers. The Committee also discussed continuing TCDD investment in leadership and advocacy training projects. The Committee directed staff to bring new project executive summaries on development of training for providers to treat specialized substance use disorders in individuals with IDD, leadership and advocacy training projects for self-advocates, youth, and in rural areas, and a project that addresses disparities in healthcare and quality of life issues for people with disabilities

**14. Public Policy Committee Report**

Public Policy Committee Chair Taylor provided highlights of the Committee discussion on TCDD Legislative Champion awards, special sessions of the Texas Legislature, and redistricting of legislative offices and the impact it will have on lawmakers who have worked on disability issues. Taylor reported that the Committee directed staff to develop a new project executive summary on disability awareness training for elected officials and their staff. Taylor also noted that the Committee plans to begin addressing Public Policy Priorities and advocacy training well in advance of the 88<sup>th</sup> Texas Legislature.

**15. Future Agenda Items**

Council members did not provide any additional requests for future agenda items.

**16. Announcements and Updates**

Council members discussed dates of future meetings of February 2-4, 2022, May 4-6, 2022, August 3-5, 2022, and November 2-4, 2022. Chair Durham noted the plan to host the February meeting in-person barring setbacks from the pandemic.

**Adjourn**

Chair Durham adjourned the meeting at 11:31 AM.

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Beth Stalvey, Secretary to the Council    Date